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## **Establishing a Florida IDEA (Individuals with Disabilities Education Act)**

### **PURPOSE**

To have legislation passed to create the Florida Individuals with Disabilities Education Act (FLIDEA) to enhance the Federal Law and to ensure that all of Florida's disabled children receive the most appropriate education possible.

### **BACKGROUND**

Prior to 1975, disabled children were educated in special classes, special residential schools, institutionalized, or even hidden away. In 1975 Public Law 94-142 was enacted which stated that all disabled children must be educated in the least restrictive environment using an individualized education plan (IEP). This law has been amended several times, most recently in 2004 as IDEIA. Although the intent of mainstreaming in most cases was positive, children are being taught by teachers who have not been trained in Special Education with the limited support of specialists. This has led to many children inappropriately placed, poor and inaccurate assessments, and teachers who are not certified in Braille and other unique skills associated with specific disabilities. Staff are often not exposed to, or trained in, the use of specialized technology, rendering it useless for students. Often this technology is purchased but not used. Each school district is responsible for its own programs.

### **NEED FOR LEGISLATION**

In order for all of Florida's disabled children to have quality services that are the most appropriate for their individual needs, a state version of the IDEA with specifics for Florida needs to be enacted.

In as much as the members of the National Federation of the Blind of Florida are not experts in all disabilities, we will highlight some important things that need to be included in such an act for the blind and visually impaired. It is imperative that all vision teachers are required to take and pass the Literary Braille Competency Test at least every three years to maintain their skill level. Vision teachers should also have a minimum knowledge of Nemeth code, music code, and computer Braille code to assist children who need these codes. All children should be considered Braille readers unless the entire IEP Team is in agreement that it would not be beneficial to that child. In most cases, children should be exposed to both print and Braille.

All children should be given a Long White Cane as early as possible and taught to use it properly by a certified Orientation and Mobility instructor. This teacher does not need to be a vision teacher since the degrees are different. It should be an accepted policy for children using canes to use them in the school setting. Necessary adaptations should be made to Physical Education classes so that all blind children are not exempted on the basis of blindness.

There should be standardized assessment tools for the blind and visually impaired and there should be specially trained staff to administer them. FCAT should be designed so that there are no visually oriented questions, or set exemptions without penalties for students who unable to take these tests due to inaccessibility. This should be set forth in the FL IDEA.

Attached is a copy of the National Federation of the Blind of Florida's Resolution 2008-02.

## **REQUESTED ACTION**

We would hope that you will carefully consider this proposal and sponsor or cosponsor legislation to enact a Florida Individuals with Disabilities Education Act (FL IDEA) to ensure all of Florida's disabled children receive an appropriate education enabling them to function, contribute, and participate fully in society

For more information on this matter or other issues affecting the blind of Florida, , please feel free to contact:

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**National Federation of the Blind of Florida**

**RESOLUTION 2008 - 02**

**Regarding Legislation of an IDEA for Florida**

Whereas, each county in the state of Florida has individual rules and policies regarding the implementation of the Individual Education Plan (IEP) requirements and special education services especially for visually impaired students; and

Whereas, most visually impaired students in the state of Florida are not receiving a quality education due to the lack of properly trained teachers of the blind and visually impaired and adjunct service providers which adversely affects these students' ability to perform at a grade-appropriate level; and

Whereas, appropriate modifications are not being made to assessments and standardized tests allowing students to earn a standard High School diploma: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind of Florida in Convention assembled this twenty-sixth day of May, 2008, in the City of Jacksonville, Florida, that this affiliate seek legislation in the 2009 legislative session to have a Florida state individuals with Disabilities Education Act (IDEA) enacted; and

BE IT FURTHER RESOLVED that the National Federation of the Blind of Florida, and specifically our Parents Division, be instrumental in the preparation of such legislation.